

PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/657,061
Filing Date	09/05/2003
First Named Inventor	Jerome Legerton
Art Unit	2873
Examiner Name	Stultz, Jessica T.
Attorney Docket Number	30682-2
Total Number of Pages in This Submission	

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard Amendment Calculation Sheet
Remarks		

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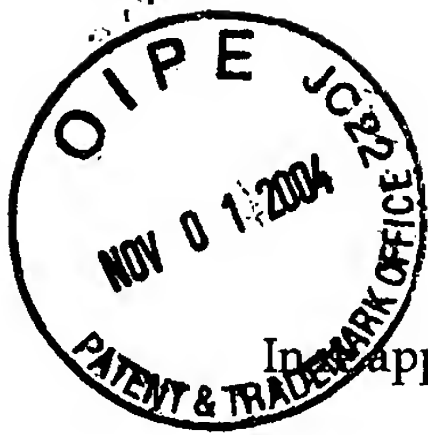
Firm Name	Luce, Forward, Hamilton & Scripps LLP		
Signature			
Printed name	David E. Heisey		
Date	October 28, 2004	Reg. No.	42,651

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Signature			
Typed or printed name	Leigh A. Coleman	Date	October 28, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Case Docket No.: 30682-2/P02

In application of:

Jerome Legerton et al.

Serial No.:

10/657,061

Filed:

09-05-2003

Examiner:

Stultz, Jessica T.

For:

HYBRID CONTACT LENS SYSTEM AND METHOD

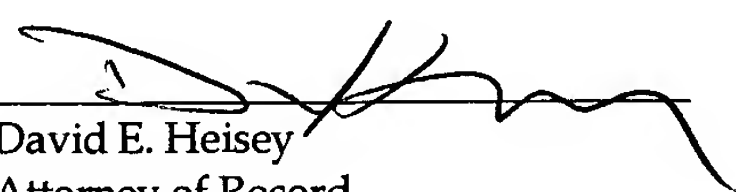
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CLAIMS AS AMENDED

(1)	(2)	(3)	(4)	(5)	(6)	(7)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	29	minus	43	0	x \$9	\$ 00.00
INDEPENDANT CLAIMS	3	minus	7	0	x \$44	\$ 0.00
MULTIPLE DEPENDANT CLAIMS	<input type="checkbox"/>				\$ 150	\$ 0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 00.00

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Atty. Docket No.: 30682-2/P02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	
Barry CHEN et al.)	
)	Art Unit: 2873
Serial No.: 10/657,061)	
)	Examiner: STULTZ, Jessica
Filed: September 5, 2003)	
)	Confirmation No.: 9098
For: HYBRID CONTACT LENS)	
SYSTEM AND METHOD)	

San Diego, California
October 28, 2004

Mail Stop: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT AND PRELIMINARY**AMENDMENT**

In response to the Office Action dated October 13, 2004, for the above-identified patent application, Applicants respond as set forth below. In addition, Applicants submit herewith an amendment of claims 1 and 11 and new claims 44-61 corresponding to the elected species (Species I).

CERTIFICATE OF MAILING

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Signature:

Leigh A. Coleman